

Response

Applicant: Kimberly A. Newell et al.

Serial No.: 10/028,060

Filed: December 21, 2001

Docket No.: M233.101.101

Title: LITIGATION MANAGEMENT SYSTEM AND METHOD

REMARKS

These remarks are made in response to the Non-Final Office Action mailed May 17, 2005. In that Office Action, the Examiner rejected claims 1-83 under 35 U.S.C. §103(a) as being unpatentable over Grow, U.S. Patent No. 6,694,315 (“Grow”).

With this Response, claims 1-83 remain pending in the application and are presented for reconsideration and allowance.

35 U.S.C. §103 Rejections

The Examiner rejected claims 1-83 under 35 U.S.C. §103(a) as being unpatentable over Grow U.S. Patent No. 6,694,315 (“Grow”). Independent claim 1 is directed to a computer-based user interface for accessing litigation information, and includes the limitations “a home page including a first plurality of user-selectable hyperlinks, each hyperlink in the first plurality of hyperlinks identifying a category of litigation information; and a plurality of web pages, each web page associated with one of the hyperlinks in the first plurality of hyperlinks, each web page providing litigation information related to the category identified by the hyperlink associated with the web page, each web page displayed in response to selection of the hyperlink associated with the web page.”

Regarding claim 1, the Examiner stated:

Grow does not explicitly disclose the details of the website to comprise of a home page including a first plurality of user-selectable hyperlinks, each hyperlink in the first plurality of hyperlinks identifying a category of litigation information, and a plurality of web pages, each web page associated with one of the hyperlinks in the first plurality of hyperlinks, each web page providing litigation information related to the category identified by the hyperlink associated with the web page, each web page displayed in response to selection of the hyperlink associated with the web page. However, all of these detail setups and access organization of information for a website are well known in the art. It would have been obvious to an artisan at the time of the invention to include these features with Grow’s teaching in order to provide a user with means for quickly navigating through web pages to arrive at the desired litigation information for browsing, and/or for updating. (Office Action, pages 2-3).

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Despite the numerous differences between claim 1 and the disclosure of Grow, the Examiner nonetheless rejected claim 1 under 35 U.S.C. §103(a). Since the Examiner did not cite any other references in rejecting claim 1, the Examiner appears to be relying on official notice. However, as indicated in the Manual of Patent Examining Procedure, “[o]fficial notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known.” MPEP §2144.03(A). “It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well-known are not capable of instant and unquestionable demonstration as being well-known.” *Id.* (emphasis in original). Applicants respectfully submit that the limitations in claim 1 that the Examiner indicated were not disclosed by Grow are not well-known facts that are capable of instant and unquestionable demonstration as being well-known.

In the Background of the Invention section of the present Application, Applicant discussed available computer-based tools that assist in the organization and storage of litigation documents. (Specification at page 1, lines 25-28). Applicant also identified various problems or disadvantages of these tools, including:

Computer-based tools such as these typically store litigation information in a database that must be queried by a user to obtain desired information. Queries may identify a date range, or a document description, or similar identification data, and often result in the return of multiple “hits”. The returned hits occasionally identify the desired information, but often also identify a great deal of irrelevant information. A user must typically enter multiple queries and sort through irrelevant information before locating the desired information. (Specification at page 1, line 28, to page 2, line 4).

Grow does not address the above-identified problems, and in fact, suffers from the same problems as these other computer-based tools. Grow is primarily directed to the automatic generation of documents and docket date reminders, and, as acknowledged by the Examiner, includes no teaching or suggestion regarding a computer-based user interface for accessing litigation information as recited in independent claim 1.

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In view of the above, Applicants respectfully request allowance of this claim, or request pursuant to MPEP §2144.03 that the Examiner cite a reference to teach the limitations of claim 1. Since dependent claims 2-48 further limit patentably distinct claim 1, claims 2-48 are believed to be allowable over the cited reference. Applicants respectfully request allowance of claims 2-48.

Independent claim 49 includes the limitations “a server computer coupled to the computer network for storing user interface information, the user interface information including a primary page having a plurality of links to a plurality of secondary pages, the primary page identifying a plurality of categories and subcategories of litigation information, each subcategory logically related to at least one of the categories, the secondary pages providing litigation information related to the identified categories and subcategories; and a client computer coupled to the computer network for displaying a user interface based on user interface information received from the server computer, the client computer configured to access the plurality of secondary pages via the user interface.”

For the same reasons as discussed above with reference to independent claim 1, the Examiner appears to be relying on official notice. Applicants contend that the limitations of claim 49 that the Examiner indicates are not disclosed by Grow are not well-known facts that are capable of instant and unquestionable demonstration as being well-known.

In view of the above, Applicants respectfully request allowance of this claim, or request pursuant to MPEP §2144.03 that the Examiner cite a reference to teach the limitations of claim 49. Since dependent claims 50-61 further limit patentably distinct claim 49, claims 50-61 are also believed to be allowable over the cited reference. Applicants respectfully request allowance of claims 50-61.

Independent claim 62 includes the limitations “storing litigation information for the lawsuit on a computer network; storing user interface data on the computer network; generating and displaying a user interface based on the stored user interface data, the user interface providing a plurality of links to the litigation information, each of the plurality of links

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corresponding to one category of a plurality of categories of litigation information, at least one of the categories of litigation information being a subcategory of at least one of the other categories of litigation information; receiving selection data provided by a user, the selection data identifying a first link in the plurality of links; and displaying litigation information related to the category corresponding to the first link.”

For the same reasons as discussed above with reference to independent claim 1, the Examiner appears to be relying on official notice. Applicants contend that the limitations of claim 62 that the Examiner indicates are not disclosed by Grow are not well-known facts that are capable of instant and unquestionable demonstration as being well-known.

In view of the above, Applicants respectfully request allowance of this claim, or request pursuant to MPEP §2144.03 that the Examiner cite a reference to teach the limitations of claim 62. Since dependent claims 63-69 further limit patentably distinct claim 62, claims 63-69 are also believed to be allowable over the cited reference. Applicants respectfully request allowance of claims 63-69.

Independent claim 70 includes the limitations “generating a primary display screen including a plurality of user-selectable litigation categories, the plurality of user-selectable litigation categories including at least one user-selectable litigation subcategory that is logically related to at least one of the other litigation categories; receiving category selection information from a user identifying one of the user-selectable litigation categories; and generating a secondary display screen including litigation information related to the identified litigation category, the secondary display screen including user-selectable links to electronic copies of litigation documents related to the identified litigation category.”

For the same reasons as discussed above with reference to independent claim 1, the Examiner appears to be relying on official notice. Applicants contend that the limitations of claim 70 that the Examiner indicates are not disclosed by Grow and are not well-known facts that are capable of instant and unquestionable demonstration as being well-known.

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In view of the above, Applicants respectfully request allowance of this claim, or request pursuant to MPEP §2144.03 that the Examiner cite a reference to teach the limitations of claim 70. Since dependent claims 71-74 further define patentably distinct claim 70, claims 71-74 are also believed to be allowable over the cited reference. Applicants respectfully request allowance of claims 71-74.

Independent claim 75 includes the limitations “at least one server computer coupled to the computer network for storing user interface information, the user interface information comprising: a client login page; a plurality of litigation case selection pages, each litigation case selection page including at least one hyperlink identifying at least one litigation case associated with a particular client; a plurality of litigation case home pages, each litigation case home page associated with one of the identified litigation cases, each litigation case home page including a first plurality of hyperlinks, each hyperlink in the first plurality identifying a category of litigation information; and a plurality of web pages, each web page associated with one of the hyperlinks in the first plurality of hyperlinks of one of the home pages, each web page providing case specific litigation information related to the category identified by the hyperlink associated with the web page; and a client computer coupled to the computer network for displaying a user interface based on user interface information received from the server computer, the client computer configured to access at least a subset of the plurality of web pages via the user interface.”

For the same reasons as discussed above with reference to independent claim 1, the Examiner appears to be relying on official notice. Applicants contend that the limitations in claim 75 that the Examiner indicates are not disclosed by Grow are not well-known facts that are capable of instant and unquestionable demonstration as being well-known.

In view of the above, Applicants respectfully request allowance of this claim, or request pursuant to MPEP §2144.03 that the Examiner cite a reference to teach the limitations of claim 75. Since dependent claims 76-79 further define patentably distinct

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claim 75, claims 76-79 are also believed to be allowable over the cited reference.

Therefore, Applicants respectfully request the allowance of claims 76-79.

Independent claim 80 includes the limitations “displaying a home page including a first plurality of user-selectable hyperlinks, the hyperlinks in the first plurality identifying a plurality of categories and subcategories of litigation information, each subcategory logically related to at least one of the categories; selecting a first one of the plurality of hyperlinks, and displaying a web page associated with a first one of the hyperlinks, the web page providing litigation information related to a category identified by the first one of the hyperlinks.”

The Examiner failed to address claim 80 in the Office Action. Therefore, Applicants respectfully request the rejection of claim 80 under 35 U.S.C. §103(a) be withdrawn, and request allowance of this claim.

Independent claim 81 includes the limitations “a home page including a correspondence hyperlink and a pleadings hyperlink; a correspondence web page associated with the correspondence hyperlink, the correspondence web page including a plurality of correspondence entries, each correspondence entry including identifying information for a correspondence related to the at least one litigation case; and a pleadings web page associated with the pleadings hyperlink, the pleadings web page including a plurality of pleading entries, each pleading entry including identifying information for a pleading related to the at least one litigation case.”

For the same reasons as discussed above with reference to independent claim 1, the Examiner appears to be relying on official notice. Applicants contends that the limitations of claim 81 that the Examiner indicates are not disclosed by Grow are not well-known facts that are capable of instant and unquestionable demonstration as being well-known.

In view of the above, Applicants respectfully request allowance of this claim, or request pursuant to MPEP §2144.03 that the Examiner cite a reference to teach the limitations of claim 81. Since dependent claims 82 and 83 further define patentably distinct independent claim 81, claims 82 and 83 are also believed to be allowable over the

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cited reference. Therefore, Applicants respectfully request allowance of claims 82 and 83.

CONCLUSION

In view of the above, Applicants respectfully submit that pending claims 1-83 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-83 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12th day of August, 2005.

By Jeff A. Holmen
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